

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

PETER LA GRAVE, as trustee for the **PETER LA GRAVE TRUST**, individually and on behalf of all others similarly situated,

Plaintiff,

VS.

H&R BLOCK, INC. et al.,

Defendants.

Case No. 3:08-cv-667

NOTICE OF RULE 41(A) VOLUNTARY DISMISSAL WITHOUT PREJUDICE

COMES NOW Plaintiff Peter La Grave, and pursuant to Fed. R. Civ. P. 41(a)(1), hereby voluntarily dismisses his claims asserted against all Defendants, without prejudice, with all parties to bear their own costs.

Dated: August 26, 2009

Respectfully submitted,

/S/ Michael J. Flannery

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CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2009, I caused the following document to be filed electronically with the United States District Court for the Southern District of Illinois through the Court's mandated ECF service:

1. NOTICE OF RULE 41(A) VOLUNTARY DISMISSAL WITHOUT PREJUDICE.

Counsel of record are required by the Court to be registered e-filers, and as such are automatically e-served with a copy of the document(s) upon confirmation of e-filing. I declare under penalty of perjury that the foregoing is true and correct.

/s/ Michael J. Flannery

Michael J. Flannery